IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7166 of 2006()

---

CRIME NO.45/06 OF THIRUVAMBADY POLICE STATION

PETITIONERS/ACCUSED NOS.1 TO 5:

---

1. KUNHALI, S/O. IBRAHIM,
   NOTTATH HOUSE, KOODARANHI AMSOM,KOZHIKODE DISTRICT

2. ROOKKIYA, W/O. KUNHALI,
   NOTTATH HOUSE, KOODARANHI AMSOM,KOZHIKODE DISTRICT

3. NASAR, S/O. ALI,
   AGED 20 YEARS, KADAKKADAN HOUSE, KOODARANHI AMSOM,
   KOZHIKODE DISTRICT.

4. VAHAB, S/O. KUNHALI,
   AGED 20 YEARS, NOTTATH HOUSE, KOODARANHI AMSOM,
   KOZHIKODE DISTRICT.

5. SHIHAB, S/O. KUNHALI,
   AGED 18 YEARS, NOTTATH HOUSE, KOODARANHI AMSOM,
   KOZHIKODE DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT:

---

STATE OF KERALA THROUGH THE
SUB INSPECTOR OF POLICE, THIRUVAMBADY POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

---

B.A.No.7166 OF 2006

---

**DATED THIS THE 5TH DAY OF DECEMBER, 2006**

**O R D E R**

Petitioners seek anticipatory bail on the allegation that the Thiruvambady Police are after them in connection with Crime No.145/06 registered for offences punishable under sections 143, 147, 148, 323 and 326 read with section 149 IPC.

2. Learned Public Prosecutor on instructions submitted that the second petitioner who is the wife of the first petitioner is not an accused in the case and that the other accused persons are accused 1 to 4.

3. Having regard to the fact that in the occurrence that took place on the morning of 21.11.2006 the de facto complainant has sustained a fracture to his ankle, I am of the view that the following directions should be issued.

1) Petitioners 1 and 3 to 5 shall surrender before the Investigating Officer on any day between 7.12.2006 and 13.12.2006 for the purpose of custodial interrogation and recovery, if any.

2. The petitioners 1 and 3 to 5 shall thereafter be produced before the the J.F.C.M.-II, Thamarassery, who shall consider and dispose of the application for regular bail filed by them preferably on the same date on which it is filed.

V.RAMKUMAR, JUDGE

dsn